

1 Daniel C. Callaway (State Bar No. 262675)
dcallaway@fbm.com
2 Farella Braun + Martel LLP
235 Montgomery Street, 17th Floor
3 San Francisco, California 94104
Telephone: (415) 954-4400
4 Facsimile: (415) 954-4480

5 Attorneys for THIRD PARTY TARGRAY
6 TECHNOLOGY INTERNATIONAL, INC.

7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA (OAKLAND DIVISION)**

10 CELGARD, LLC,

11 Plaintiff,

12 V.

13 SHENZHEN SENIOR TECHNOLOGY
14 MATERIAL CO. LTD (US) RESEARCH
15 INSTITUTE, ET AL.,

16 Defendants.
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Case No.: 4:19-cv-05784-JST

**DECLARATION OF ANNIE GALARNEAU
IN SUPPORT OF CELGARD, LLC'S
ADMINISTRATIVE MOTION AT
DOCKET 641 TO CONSIDER WHETHER
TARGRAY TECHNOLOGY
INTERNATIONAL, INC.'S MATERIAL
SHOULD BE SEALED**

Hon. Jon S. Tiger

1 I, Annie Galarneau, declare as follows:

2 1. I am the General Counsel of Targray Technology International, Inc. ("Targray").
 3 Pursuant to Local Rule 79-5.2.2(b)(i), I submit this Declaration In Support Of Celgard, LLC's
 4 Administrative Motion to Consider Whether a Non-Party's Material [Targray] Should Be Sealed
 5 (Dkt. No. 641). I have personal knowledge of the facts stated below and, if called as a witness, I
 6 could and would testify competently thereto.

7 2. Below are lists detailing the items that Targray requests to be sealed because they
 8 contain Targray's confidential business information:

- 9 • Exhibit Z to Celgard, LLC's Fifth Amended Complaint (Dkt. No. 633-26): in its
 10 entirety. Exhibit Z is an email chain containing Targray's negotiations with
 11 another party regarding legal strategy and the pro rata division of legal fees.
 12 Exhibit Z also contains legal strategies proposed to Targray by the other party.
 13 Such details represent Targray's confidential business information and could be
 14 harmful to its business if divulged.
- 15 • Exhibit AA to Celgard, LLC's Fifth Amended Complaint (Dkt. No. 633-27): in its
 16 entirety. Exhibit AA is an email chain containing Targray's negotiations with a
 17 customer concerning specific products as well as operational information of
 18 Targray. This information includes customer preferences for specific products and
 19 product features, product availability, and product adoption by customers. Even as
 20 produced, Exhibit AA includes identifying address information that would reveal
 21 the nature of Targray's negotiations with a particular customer. Such details
 22 represent Targray's confidential business information and could be harmful to its
 23 business if divulged.
- 24 • Exhibit BB to Celgard, LLC's Fifth Amended Complaint (Dkt. No. 633-28): in its
 25 entirety. Exhibit BB is the same document as Exhibit 4 to the Vogel Declaration
 26 (Dkt. No. 608-5), which was sealed in its entirety. See Docket Nos. 616
 27 (Galarneau declaration) and 648 (Court's order granting sealing motion). Exhibit
 28 BB is an email chain containing Targray's negotiations with a customer concerning

specific products as well as operational information of Targray. This information includes future product plans, customer preferences for specific products and product features, product availability, and product adoption by customers. Exhibit BB further includes discussion of potential liability connected to product sales. Such details represent Targray's confidential business information and could be harmful to its business if divulged.

- Exhibit FF to Celgard, LLC's Fifth Amended Complaint (Dkt. No. 633-32): in its entirety. Exhibit FF is an email chain containing Targray's negotiations with another entity regarding Targray's legal obligations. Such details represent Targray's confidential business information and could be harmful to its business if divulged.
- Exhibit GG to Celgard, LLC's Fifth Amended Complaint (Dkt. No. 633-33): in its entirety. Exhibit GG is an email chain containing Targray's negotiations with another entity regarding a distribution agreement, and Targray's legal obligations. Such details represent Targray's confidential business information and could be harmful to its business if divulged.
- Exhibit MM to Celgard, LLC's Fifth Amended Complaint (Dkt. No. 633-39): in its entirety. Exhibit UU is the same document as Exhibit F to the Wheeler Declaration (Dkt. No. 595-3), which was sealed in its entirety. See Docket Nos. 613 (Galarneau declaration) and 648 (Court's order granting sealing motion). Exhibit MM is a distributor agreement detailing Targray's rights and obligations regarding certain products. Exhibit MM contains terms related to pricing, discounts, and compensation that represent Targray's confidential business information and could be harmful to if business if divulged.
- Exhibit RR to Celgard, LLC's Fifth Amended Complaint (Dkt. No. 633-44): in its entirety. Exhibit RR is the same document as Exhibit 4 to the Vogel Declaration (Dkt. No. 608-5), which was sealed in its entirety. See Docket Nos. 616 (Galarneau declaration) and 648 (Court's order granting sealing motion). Exhibit

1 RR is an email chain containing Targray's negotiations with a customer concerning
2 specific products as well as operational information of Targray. This information
3 includes future product plans, customer preferences for specific products and
4 product features, product availability, and product adoption by customers. Exhibit
5 RR further includes discussion of potential liability connected to product sales.
6 Such details represent Targray's confidential business information and could be
7 harmful to its business if divulged.

- 8 • Exhibit UU to Celgard, LLC's Fifth Amended Complaint (Dkt. No. 633-47): in its
9 entirety. Exhibit UU is the same document as Exhibit N to the Wheeler
10 Declaration (Dkt. No. 595-6), which was sealed in its entirety. See Docket Nos.
11 613 (Galarneau declaration) and 648 (Court's order granting sealing motion).
12 Exhibit UU is an email chain containing Targray's negotiations with customers
13 concerning specific quantities of products as well as operational information of
14 Targray. This information includes pricing, customer preferences for specific
15 products, product availability, and product adoption by customers. Such details
16 represent Targray's confidential business information and could be harmful to if
17 business if divulged.
- 18 • Exhibit VV to Celgard, LLC's Fifth Amended Complaint (Dkt. No. 633-48): in its
19 entirety. Exhibit VV is the same document as Exhibit 3 to the Vogel Declaration
20 (Dkt. No. 608-4), which was sealed in its entirety. See Docket Nos. 616
21 (Galarneau declaration) and 648 (Court's order granting sealing motion). Exhibit
22 VV is an email chain containing Targray's negotiations with a customer concerning
23 specific products as well as operational information of Targray. This information
24 includes the identity of a customer, that customer's preferences for specific
25 products, product availability, and product adoption by customers. Exhibit VV
26 further includes discussion of potential liability connected to product sales. Such
27 details represent Targray's confidential business information and could be harmful
28 to its business if divulged.

- 1 • Exhibit WW to Celgard, LLC's Fifth Amended Complaint (Dkt. No. 633-49): in its
2 entirety. Exhibit WW is the same document as Exhibit 5 to the Vogel Declaration
3 (Dkt. No. 608-6), which was sealed in its entirety. See Docket Nos. 616
4 (Galarneau declaration) and 648 (Court's order granting sealing motion). Exhibit
5 WW is an email chain containing Targray's negotiations with a customer
6 concerning specific products as well as operational information of Targray. This
7 information includes the identify of a customer, future product plans, customer
8 preferences for specific products and product features, product availability, and
9 product adoption by customers. Such details represent Targray's confidential
10 business information and could be harmful to its business if divulged.
- 11 • Exhibit XX to Celgard, LLC's Fifth Amended Complaint (Dkt. No. 633-50): in its
12 entirety. Exhibit XX is the same document as Exhibit B to the Wheeler Declaration
13 (Dkt. No. 595-2), which was sealed in its entirety. See Docket Nos. 613
14 (Galarneau declaration) and 648 (Court's order granting sealing motion). Exhibit
15 XX is an email chain containing Targray's negotiations with customers concerning
16 specific quantities of products as well as operational information of Targray. This
17 information includes customer preferences for specific products, as well as
18 forecasted demand for specific products. Such details represent Targray's
19 confidential business information and could be harmful to if business if divulged.
- 20 • Exhibit YY to Celgard, LLC's Fifth Amended Complaint (Dkt. No. 633-51): in its
21 entirety. Exhibit YY is the same document as Exhibit 14 to the Vogel Declaration
22 (Dkt. No. 608-15), which was sealed in its entirety. See Docket Nos. 616
23 (Galarneau declaration) and 648 (Court's order granting sealing motion). Exhibit
24 YY is an email chain containing a description of Targray's discussions with a
25 customer concerning product plans and negotiations with Shenzhen Senior
26 concerning specific quantities of products as well as operational information of
27 Targray. This information includes the identification of a customer and that
28 customer's preferences for specific products. Such details represent Targray's

1 confidential business information and could be harmful to its business if divulged.

- 2 • Exhibit ZZ to Celgard, LLC's Fifth Amended Complaint (Dkt. No. 633-52): in its
3 entirety. Exhibit ZZ is the same document as Exhibit H to the Wheeler Declaration
4 (Dkt. No. 595-5), which was sealed in its entirety. See Docket Nos. 613
5 (Galarneau declaration) and 648 (Court's order granting sealing motion). Exhibit
6 ZZ is an email chain containing Targray's negotiations with customers concerning
7 specific quantities of products as well as operational information of Targray. This
8 information includes customer preferences for specific products, as well as
9 forecasted demand for specific products. Exhibit ZZ further includes discussion of
10 potential liability connected to product sales. Such details represent Targray's
11 confidential business information and could be harmful to if business if divulged.
- 12 • Exhibit AAA to Celgard, LLC's Fifth Amended Complaint (Dkt. No. 633-53): in
13 its entirety. Exhibit AAA is the same document as Exhibit B to the Wheeler
14 Declaration (Dkt. No. 595-2), which was sealed in its entirety. See Docket Nos.
15 613 (Galarneau declaration) and 648 (Court's order granting sealing motion).
16 Exhibit AAA is an email chain containing Targray's negotiations with customers
17 concerning specific quantities of products as well as operational information of
18 Targray. This information includes customer preferences for specific products, as
19 well as forecasted demand for specific products. Such details represent Targray's
20 confidential business information and could be harmful to if business if divulged.

21 I declare under penalty of perjury under the laws of the United States of America that the
22 foregoing is true and correct. Executed this 14 day of January, 2022, at Laval, Quebec (Canada).

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DocuSigned by:
Annie Galarneau
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ANNIE GALARNEAU